



Planning Commission Minutes

January 14, 2025 6:00 PM

City Hall, 111 E. Maple Avenue (Ground Floor), Council Chambers

CALL TO ORDER

A meeting of the Planning Commission was held at 6:00 PM on 1/14/2025, in the 111 E Maple Avenue, Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Laurie Dean Wiley, Eric Ashbaugh, Edward Nesbitt, Dan O'Neill, Virginia Ferguson, Jose Torres, Michael Young. Absent - .

CONSENT AGENDA

The Consent Agenda consists of routine items of business to be acted upon by the Planning Commission with little or no public discussion. The staff or committee recommendation for each item is included in the Planning Commission packet. Any item may be removed by a commissioner or staff member to become part of the regular agenda.

1. Planning Commission Minutes – November 19, 2024

Motion

Commissioner Edward Nesbitt made a motion to approve the Consent Agenda. Commissioner Michael Young seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

CASE TO BE CONTINUED - THE APPLICANT REQUESTS THIS CASE BE CONTINUED TO THE JANUARY 28, 2025 MEETING.

1. **Case 25-100-03 – Rezoning – 10900 E Truman Rd** – A request by Dustin Ferrell to rezone the property from I-1 (Industrial), C-2 (General Commercial), and R-12 (Two Family Residential) to I-1 (Industrial).

Motion

Commissioner Edward Nesbitt made a motion to continue the case to January 28, 2025 meeting. Commissioner Dan O'Neill seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

PUBLIC HEARINGS

1. **Case 25-100-01 – Rezoning – 2000 N. Elsea Smith Road** – A request by Derick Krones to rezone the property from R-A (Residential-Agricultural) to R-4 (Single Family Residential Low Density).

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses. Mr. Harker noted that Residential-Agricultural requires a 250-foot lot frontage and splitting the lot would not meet that requirement. The R-4 zoning would only require a 75-foot lot frontage and would allow their minor subdivision application to move forward.

Applicant Comments

Derick Krones, 2000 N. Elsea Smith Road, stated he would like to split his lot into two lots so a second house can be built on the newly separated lot. He's hoping his family would be able to purchase the second lot to build a home next door to his.

Public Comments

Dawn Zachgo, 1512 N. Elsea Smith Road, stated provided a history of the property. She stated R-4 zoning does not match the 2040 Comprehensive Plan. Ms. Zachgo said this would allow more urban style development and create additional traffic that the roads are not designed to handle. This rezoning would cause a domino effect, setting a precedence for other property owners to do the same. Ms. Zachgo is concerned about the impact on public health and the long-term consequences for infrastructure and the surrounding community.

Gwen Herner, 1732 N. Elsea Smith Road, stated she has been fighting with Jackson County about her agricultural property. She's concern approving this rezoning will open a can of worms. Ms. Hefner feels if the City approves this rezoning, Jackson County will continue to try to change their property to residential instead of agricultural.

Bryan Etter, 1811 N. Elsea Smith Road, stated he's concerned about the waterway being contaminated with additional septic tanks.

Debbie Ruth, 1721 N. Elsea Smith Road, stated she's owned her property for ten years and they picked this area because of the rural surrounding. She said she agrees with past speakers and is concerned this will allow Jackson County to say the area is not agricultural.

John Veldheer, 1607 N. Elsea Smith Road, said the road is very narrow and he's concerned about additional traffic.

Linda Nix, 1515 N. Elsea Smith Road, stated she was the first to build their house on that side of the street in 1989. She is concerned this change will destroy their land and she wants her property to stay zoned Residential-Agricultural.

Dennis Heimsoth, 1507 N. Elsea Smith Road, said they don't want another housing addition because as soon as this starts, it's going to create houses everywhere.

Pam Wrinkle, 915 N. Elsea Smith Road, stated she would like the property to stay zoned Residential-Agricultural.

Rita Veldheer, 1607 N. Elsea Smith Road, said she signed up for R-A zoning and wants it to remain as it is.

Mr. Krones stated he would like to only have one additional house on the property and hopes that his family can purchase it to build a home next to theirs.

Commissioner Comments

In response to Commissioner Nesbitt's question, Mr. Harker stated you can only have one house on a property. He said with R-4 they can still have chickens. Mr. Harker stated the property could not stay R-A and allow the lot split due to the minimum lot frontage.

Rick Arroyo provided additional information on the restrictions and what the R-4 zoning would allow. He explained only one additional home would be allowed on the property due to the requirement to have 75-foot lot footage and sewer requirements.

Chairwoman Wiley confirmed with Mr. Harker that this rezoning will only allow one additional residential structure to be built. Mr. Harker added that the sewer system and lot frontage will not allow more than one property to be built.

Commissioner Nesbitt stated the surrounding property owners purchased their land with an R-A zoning and would like to see it stay R-A.

Motion

Commissioner Dan O'Neill made a motion to approve the case. Commissioner Edward Nesbitt seconded the motion. The motion failed Yes 2, No 5, Abstained 0.

2. **Case 25-100-04 – Rezoning – Evanston Park Rezoning** – A City request to rezone the property located at 9408 E. Winner Road from O-1 (Office-Residential) to R-6 (Single Family Residential) and the properties located at 715 & 717 S. Brookside, 812, 818 & 820 S. Glenwood, 9306 & 9310 E. 9th Street S, and 9400, 9402, 9404 & 9406 E. Winner Road from R-30/PUD (High Density Residential/Planned Unit Development) to R-6 (Single Family Residential).

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map

indicating the project area and explained the surrounding land uses.

Public Comments

No public comments.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Eric Ashbaugh seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

3. **Case 25-100-05 – Rezoning – Liberty Street Rezoning** – A City request to rezone the properties located at 1420, 1422, 1424 & 1426 S. Liberty Street from R-30/PUD (High Density Residential/Planned Unit Development) to R-6 (Single Family Residential).

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Public Comments

No public comments.

Motion

Commissioner Dan O'Neill made a motion to approve the case. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

OTHER BUSINESS

1. **Case 24-310-06 – Preliminary Plat – Liberty Commons** – A request by Derek Kennedy for approval of a preliminary plat.

Staff Presentation

Gabe Glaser presented the case. Mr. Glaser presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses. Mr. Glaser reviewed the conditions of approval.

Applicant Comments

Dan Foster, 14920 W 107th St., Lenexa, KS, stated he's representing the developer. He said they agree with the staff's report and agree to all the conditions.

Public Comments

No public comments.

Commissioner Comments

Chairwoman Wiley and Commissioner O'Neill both expressed gratitude to the applicant for creating additional housing.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Jose Torres seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

ROUNDTABLE - NEXT MEETING JANUARY 28, 2025

Chairwoman Wiley requested permission from the Planning Commissioners to talk to staff about not mailing the packets. She noted the Commission does have access to the packet online.

Commissioner Nesbitt said he would be okay with online packets, if they'll receive the same information online.

Commissioner Ashbaugh stated he's having issues with the small maps and questioned if the online version will allow them to zoom in. Mr. Arroyo stated the largest map they could print would be 11x17.

Chairwoman Wiley noted all Commissioners received the new City Council approved Member Agreement and will need to turn it in before the next meeting.

ADJOURNMENT

The meeting was adjourned at 7:34 p.m.